PATTERNS OF POWER

THE ENCOURAGEMENT OF LEARNING

How a Durable Hierarchy Defends the Quietest of Its Three Monopolies — the Monopoly of Information — Not by Suppressing a New Channel of Knowledge by Force, Which Would Be Visible and Resistible, but by Feeding It While It Is Harmless and Starving It Through a Real and Legitimate Cause Once It Threatens; a Double Motion That Needs No Conspiracy Because It Co-opts Sincere Reformers and True Causes, and That the Incumbent Alone Can Perform Because the Three Monopolies Buy Not Merely the Motive to React but the Means — While the Challenger Is Left With Sight and No Lever; Held as Tested, Not Revealed

thomas J. Bryan (with Claude, Anthropic)

PREFACE

the monopoly that does not look like one

A hierarchy that means to last must hold three things: the means of violence, the bulk of the wealth, and the channels through which a

people learns what is true. The first two defend themselves in the open and are recognised for what they are. An army massed at a border, a fortune concentrated in a few hands — these are visible expressions of power, and because they are visible they draw opposition, revolt, taxation, reform. The third monopoly is different, and its difference is the subject of this paper. The control of what a population can know, believe, and be permitted to say authoritatively is the quietest of the three, because its defences do not look like power at all. They look like protection. They look like quality, and order, and the prevention of harm, and the just reward of those who create. And a defence that wears the face of a public good is very nearly unanswerable, because to attack it is to seem to attack the good it wears.

This paper describes the mechanism by which the information monopoly renews itself, generation after generation, against every new channel of knowledge that might have loosened it — and does so, remarkably, without requiring anyone to lie, conspire, or even fully intend the result. The mechanism has two joined parts, and both can be watched with unusual clarity at a single historical hinge: the birth, in England between 1557 and 1710, of the thing we now call copyright, which began its life as an instrument of censorship and was reborn, when censorship failed, as the protection of authors and the encouragement of learning. The first part of the mechanism is what this study will call *feed and starve through a legitimate cause*: a new channel is permitted, even encouraged, while it is harmless or useful to the incumbent, and then, when it begins to threaten, it is not crushed — which would be visible — but enclosed, through a cause that is genuinely real and championed by people who genuinely believe in it. The second part is the deeper one, and this study will call it *the asymmetry of reaction*: the three monopolies buy not merely the motive to defend a position but the *means to react* to a threat, and the party that lacks them can perceive the danger, expose it, describe it exactly — and still not act against it, because seeing clearly and being able to do something about what one sees are two different powers, and the second is the one that is held.

The paper stands on its own; it assumes no prior reading and explains every idea it uses. Its spine is the documented history of the licensing of print, told through the exact words of the statutes and their opponents, because in this study above all the words are the evidence, and the whole argument is that a real cause and a captured monopoly can be, and repeatedly have been, the same sentence.

A note on collaboration and on discipline

The framework is thomas J. Bryan's: the three monopolies, the seam of trusted information, the reading of a decision from the position that produced it rather than from the virtue of the person who made it. The research, the sourcing, and the writing are Claude's. Two disciplines govern the paper. The first is its own subject turned on itself: primary sources — the statutes, the petitions, the pamphlets — are quoted exactly and at the length the argument needs, because a law that encloses knowledge is a legal fiction whose precise wording is the point, while modern copyrighted scholarship is paraphrased and credited. The second is that the paper makes no accusation of bad faith against any particular person or institution, past or present. Its claim is structural, not moral: that a certain mechanism exists, that it works through sincere people and true causes rather than around them, and that it is therefore both more durable and harder to see than a conspiracy would be. To describe how a good cause can carry a monopoly is not to say the cause is not good. It is to say that goodness is not, by itself, a defence against being used.

I

The three monopolies, and the quiet one

B

egin with the framework's claim in its plainest form. A durable order rests on three monopolies held, ideally, by one coalition: the monopoly of organised violence, which settles who may compel whom; the monopoly of wealth, which settles who commands the surplus a society produces; and the monopoly of information, which settles what the members of that society can know and are authorised to say they know. The third is the least understood and the most interesting, because in any society too large and too specialised for each person to verify the world for himself — which is to say every society more complex than a village — most of what anyone believes, he believes not because he checked it but because he trusts someone who is supposed to have. This standing dependence creates a position: the position of the one who is believed about what others cannot check — the priest about the god, the physician about the body, the licensed printer about what is fit to read, the credentialed scholar about what is known. The framework calls that position the *seam*, and control of the seam is the information monopoly. Whoever holds it does not merely own facts; he owns the channels through which facts become authorised, and the marks by which a claim is taken to be knowledge rather than noise.

The seam cannot be abolished, because the dependence that creates it is permanent; a complex society will always need people it trusts about what it cannot check. This is why the story that follows is not a story with a villain who could simply be removed, and not an argument that licensing or copyright or credentials should not exist. It is an argument about what happens to the seam when a new channel of knowledge appears that might have spread the trusted position across more hands — and about the specific, quiet, legitimate-seeming means by which the incumbents of the seam bring each such channel under control instead. The monopoly of violence defends itself with soldiers and the monopoly of wealth with walls and lawyers, and we see them do it. The monopoly of information defends itself with licences and rights and standards and the sincere language of protection, and we mostly do not.

II

The birth of a right: feed and starve at the printing press

The printing press was the great loosener. Before it, the copying of a book was the labour of months and the seam of authorised knowledge was held, in Latin Christendom, by a church that controlled the scriptoria, the language of scripture, and the right to interpret it. Print threatened all of that by making the multiplication of texts cheap — and the response of the incumbent powers is the pattern this paper exists to name, run once, slowly, in the full light of the documentary record.

At first the press was fed. The Crown saw its uses and encouraged it; as early as 1483 an English statute welcomed the trade of printing and the foreign craftsmen who plied it. But as the press began to carry what the incumbent powers feared — heresy against the church, sedition against the Crown — the feeding turned to starving, and the starving was done not by banning print, which would have forfeited its uses, but by *licensing* it: by inserting, between the press and the public, a gate that only the authorised could pass. In 1557 Queen Mary I granted a royal charter to the Stationers' Company, the London guild of printers and booksellers, and the charter's own recital of its purpose is the mechanism stated aloud. It was granted, the charter says, to provide a remedy against the "seditious and heretical books rhymes and treatises" that were "daily published and printed by divers scandalous malicious schismatical and heretical persons" — books that induced the Queen's subjects to "sedition and disobedience" and spread "heresies against the faith and sound catholic doctrine of Holy Mother Church." In exchange for policing exactly those dangers, the Stationers received what the copyright historians describe as an almost absolute monopoly over the production of printed works: the guild alone could print, the guild alone could license, and every lawful book was entered in the guild's own register as the property — the "copy" — of one of its members. The right to make copies, the *copy-right*, was born here, and it

was born as the private face of a public censorship: the printer got a monopoly, and in return the printer kept the press clean.

Note the shape, because it will recur. The danger the arrangement addressed was *real*. Sedition does destabilise a state; the sixteenth century was drenched in the blood of religious war, and a Crown that feared print as an engine of insurrection was not inventing a threat. The cause was genuine — and it was the cause that carried the monopoly. A century later the same bargain was renewed in the same terms, and the statute that renewed it wears the mechanism in its very title. The Licensing of the Press Act of 1662 is entitled, in full, *"An Act for preventing the frequent Abuses in printing seditious treasonable and unlicensed Bookes and Pamphlets and for regulating of Printing and Printing Presses."* Read the title slowly: the first half names a real abuse to be prevented — sedition, treason — and the second half is the machinery of control that the first half licenses, the "regulating of Printing and Printing Presses" that put every press in England under a licenser's eye. Under it, no book could lawfully appear without prior approval; the licenser Sir Roger L'Estrange ran search-and-seizure operations across the country; and in 1664 the printer John Twyn, who had printed a pamphlet defending the people's right to resist a tyrant, was tried for treason and hanged, drawn, and quartered for it. That is the floor beneath the licence — the reminder, made once in a while in a man's body, of what the monopoly of information rests on when the legitimate cause is not enough.

The mechanism did not go unopposed, and its most famous opponent named the stakes with a clarity that has never been bettered. In 1644, against an earlier ordinance reviving the licensing of print, John Milton published *Areopagitica*, and its central sentence is the case against the whole apparatus: *"as good almost kill a man as kill a good book. Who kills a man kills God's image; but he who destroys a good book, kills reason itself, kills the image of God, as it were in the eye."* Milton saw what licensing was — not the prevention of harm but the strangling of thought before it could be tested — and he answered it with the argument that truth needs no

licenser, because *"Truth is compared in scripture to a streaming fountain; if her waters flow not in a perpetual progression, they sicken into a muddy pool of conformity and tradition."* Milton is the challenger's voice, and it is worth marking what happened to it: he wrote the greatest defence of the free press in the language, and the licensing system he wrote against outlived his pamphlet by half a century. Seeing clearly, and saying so magnificently, did not move the machine. That gap — between the clarity of the seeing and the impotence of the sayer — is the asymmetry this paper will come to, and Milton is its first great instance.

Then comes the hinge, and it is the most instructive event in the whole history, because it shows the monopoly changing its justification without changing its substance. In 1695 the Licensing Act was allowed to lapse: the House of Commons, weary less of censorship in the abstract than of the Stationers' abuse of their trade monopoly, refused to renew it, and for the first time in generations there was no licenser at the gate of the English press. The Stationers, their monopoly suddenly unmoored from the censorship that had justified it, petitioned again and again for its restoration on the old grounds of order and sedition — and failed. And then, having lost the argument from control, they reached for a different argument, one that had been lying available all along: they argued that *authors* had a natural right of property in what they wrote. The copyright historians who have traced this pivot — Lyman Ray Patterson, Ronan Deazley — make the crucial observation plain: the publishers advanced the author's right knowing that an author, having little means to exploit such a right himself, would in practice sign it over to a publisher, so that a right vested in the author would come to rest, as it always had, in the Stationer. The monopoly did not want to protect authors; it wanted to survive the death of its old excuse, and the author was the new excuse — a better one, because where "the prevention of sedition" sounded like the Crown protecting itself, "the rights of authors" sounded like justice for the weak against the pirate.

The argument worked, and it produced, in 1710, the first copyright statute in the world — and its title is this paper's title, because no invented phrase could improve on it. The Act is called *"An Act for the Encouragement of Learning, by Vesting the Copies of Printed Books in the Authors or Purchasers of such Copies, during the Times therein mentioned."* Its preamble sets the new justification in the language of protection and of knowledge: printers and booksellers have of late taken to reprinting others' books *"without the consent of the authors or proprietors... to their very great detriment, and too often to the ruin of them and their families,"* and the remedy is offered *"for the encouragement of learned men to compose and write useful books."* The pamphleteers who had campaigned for it spoke the same language sincerely: Daniel Defoe, in his *Review* of 1709, demanded *"a Law... for the Encouragement of Learning, Arts, and Industry, by securing the Property of Books to the Authors or Editors of them"* — and Defoe, a writer perpetually pirated and perpetually poor, meant every word of it. The cause was real; the authors were really wronged; learning really is encouraged when a writer can hope to profit from his work. And the same interest that had held the censor's monopoly since 1557 now held a monopoly reborn as the author's friend and the scholar's patron. The Stationers had been fed a monopoly to starve sedition; when that justification died, they starved the open press instead with a monopoly reborn to feed learning. The channel that print had opened was enclosed twice, under two opposite banners, by one continuous interest.

III

Why it needs no conspiracy: the hinge and the filter

The power of the mechanism is that it requires no villainy, and this is what makes it so much more durable than a plot. A plot can be exposed; a lie can be refuted; a conspiracy needs conspirators, who can be

caught or can defect. The feed-and-starve mechanism needs none of these, because at no point does anyone in the chain have to be lying. The framework's account of how a coordination becomes a capture applies here exactly, and it turns on the distinction between the base of a cause and its hinge.

At the *base* of every enclosure examined above sits a genuine concern held by sincere people. The subjects who feared that seditious print would reignite civil war were not cynics; the century had taught them the fear. The writers who wanted a law to stop the pirates who reprinted their books and ruined their families were not cynics; Defoe was robbed for a living. These are real causes, sincerely held, and the sincerity is not a mask over the mechanism — it is a working part of it, because a cause that its own champions believe is far more powerful than a cause known to be a pretext. At the *hinge*, however — the point where the real cause is translated into a specific legal instrument — sits an interest that the cause happens to serve, and that interest need not have invented the cause, need not even have cynically seized it; it need only have *shaped the remedy*, steered the drafting, chosen among the available laws the one that also happened to vest the new right where the old monopoly had always sat. The publishers did not have to fabricate the wrong done to authors. They had only to ensure that the law redressing it ran through them. Sincere at the base, instrumental at the hinge, and no one at any point tells a lie: that is the signature of the thing.

And because no one lies, the enclosure does not even require a steering hand. It can run as what the framework calls a *filter* rather than a plot — an outcome produced not by anyone deciding to produce it but by the standing arrangement of incentives, with the real cause supplying the moral cover so that each actor can do the locally reasonable and locally honest thing and the aggregate can still be the enclosure of a channel. The legislator who votes for the Statute of Anne to protect authors, the author who supports it because he is robbed, the publisher who drafts it to run through himself, the judge who enforces it as written — each is telling the truth about his own motive, and the sum of their truthful motives is a

monopoly reborn. This is why the mechanism is the subtlest form of power in a durable hierarchy: you cannot attack it the way you attack an army or a fortune, by pointing at it and calling it what it is, because when you point at it you are pointing at the protection of authors, or the prevention of sedition, or the maintenance of quality, or the safety of the public — and whoever argues against *those* has put himself in the wrong before he has said a word about monopoly. The cause is the armour. To get at the enclosure you must first get past the good it wears, and most people, decently, will not.

IV

The asymmetry of reaction

The second mechanism is deeper than the first, and it explains something the first does not: why the incumbent can afford to let the seeing happen at all — why a Milton can be permitted to publish the perfect exposure of licensing and the licensing continue undisturbed. The answer is that the three monopolies buy two different things that are easy to confuse, and the confusion is the whole trap. They buy the *motive* to defend a position, which everyone has who benefits from an arrangement. But they also buy the *means to react* — the levers by which a perceived threat can actually be met — and those levers are not distributed. They are the monopolies themselves.

Consider what "reacting" to the loosening of the press actually required. It required the power to charter a guild and vest it with a trade monopoly (the Crown's prerogative — a lever of the state). It required the power to pass a statute licensing every press in the kingdom (Parliament — a lever of the state). It required the power to run search-and-seizure across the country and to hang a printer (the courts, the sheriffs, the scaffold — levers of violence and law). It required, at the end, the power to write the new right into a bill and steer it through the Commons (organised wealth and standing access — the publishers' levers). Every one of these is a monopoly

lever, and the challenger held none of them. What the challenger held was a press and an argument — the power to *see* the enclosure and to *say* so. Milton could publish *Areopagitica*; he could not license a printer, seat a member, or draft a statute. Twyn could print a defence of resistance; the state could disembowel him for it. The unlicensed pamphleteer could describe the Stationers' monopoly with perfect accuracy; he could not repeal it. Seeing and saying are real powers, and they are not nothing — over centuries they move things — but they are categorically different from the power to *act*, and the durable hierarchy is precisely the arrangement in which the two are held by different hands. The incumbent reacts; the challenger notices.

This is the deep reason a mature hierarchy can tolerate, and even sponsor, a great deal of clear sight into its own workings. It is not endangered by being understood, because understanding is not a lever. The subject who grasps exactly how the enclosure works still cannot un-charter the guild or un-pass the Act; his comprehension, however complete, arrives at the same wall as his ignorance would have, because the wall is not made of ignorance. The most durable hierarchy is therefore not the one that keeps its subjects in the dark — that is the brittle, early, expensive kind, the kind that must burn books and hang printers and will exhaust itself doing so. The most durable kind is the one that can let its subjects see, can let the Miltons publish and the historians reconstruct and the critics expose, and remain unmoved, because it retains the sole power to *react* to anything the seeing might inspire. Understanding without the means to act on it is not power. It is commentary — often true, sometimes magnificent, and structurally safe.

And there is a sharper edge still, the one that makes the information monopoly uniquely self-protecting. The new channel of knowledge is not merely something the incumbent reacts *to*; it is something the incumbent can bring *under* the very apparatus of reaction, so that the tool that might have carried the challenge becomes instead an instrument of its containment. The printing press did not remain the outsider's weapon;

through licensing it became, for a century and a half, one of the Crown's instruments of control, every lawful sheet passing a licenser's desk. The channel that could have distributed the seam was captured into the seam. This is the move to watch for in every later case, because it is the one that closes the trap: whoever controls the means of reaction can turn the new means of *seeing* into a new means of *watching*, and the liberating technology becomes, without any change in its nature, a machinery of the incumbent's reach.

V

The pattern recurs: every new channel, the same motion

Once the shape is named it is visible everywhere, because every new channel of knowledge presents the incumbents of the seam with the same problem and elicits the same solution: feed while harmless, starve through a real cause when threatening, by parties who alone can react. The paper will trace the recurrence lightly, because the mechanism is one and the instances only vary the costume.

Before print, the channel was *interpretation itself*, and the enclosure was the monopoly of a clergy over the reading of scripture — the sacred text kept in a language the laity could not read, the vernacular translation forbidden, the translator burned. The cause was real in its own terms: error about salvation was, to those who believed it, the gravest harm imaginable, and the control of interpretation was defended as the protection of souls from damning mistake. The seam was held by controlling who might authoritatively say what the words meant.

That control of *who may authoritatively speak* is the second great face of the mechanism, and it did not end with the clergy; it became the credential. The licensing of the knower — the guild that alone may practise a craft, the college that alone may certify a physician, the university that alone may

confer the standing to be believed — is the seam defended at the level of the producer rather than the channel, and it is defended, always, by a cause that is genuinely real: the protection of the public from the charlatan, the quack, the fraud. Quackery is real; unqualified practice does kill; a society is right to want its physicians competent and its scholars disciplined. And the same true cause that protects the public also draws a line around who may be believed, vesting the trusted position in the credentialed and denying it to the outsider whose claim, however sound, arrives without the authorised mark. That the credential often protects real competence and that it also polices the boundary of the seam are not competing accounts; they are the same fact seen from the base and from the hinge.

After print came the broadcast channels, and they ran the cycle within a single lifetime. Radio in its first years was an open, amateur, decentralised medium, a chaos of enthusiasts — fed, because it was new and harmless. Then, as it became a power, it was starved through a cause as real as any: the radio spectrum is genuinely finite, and two stations on one frequency genuinely drown each other, so that *someone* must allocate the airwaves or there is only noise. Spectrum scarcity is not a fiction. And upon that true cause was built a licensing regime that decided not merely which frequency but which *voices* would broadcast, concentrating the new channel in approved and capitalised hands and closing the amateur commons — the press's enclosure run again, with interference in the place of sedition as the legitimate cause that carried the control.

And the copyright that had been born in 1710 as a bargain went on quietly demonstrating the mechanism's other tempo — not the enclosure of a new channel but the slow starving of the public half of an old bargain. The bargain was always two-sided and time-bound: the author gets a monopoly *for a limited term*, after which the work falls into the common stock of learning that the monopoly existed to enrich. The founders of the American republic wrote the limit into the constitution itself, granting Congress power *"To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to*

their respective Writings and Discoveries" — the purpose (the progress of knowledge) and the limit (limited times) fixed in a single clause, and the Statute of Anne's own term had been a mere fourteen years, renewable once. But a limited term is a standing invitation to extension, and every extension can be championed on the real and sympathetic cause of the creator and his heirs, so that across three centuries the term crept from fourteen years toward the life of the author and then decades beyond it — in the United States, by the Copyright Term Extension Act of 1998, to the author's life plus seventy years, and ninety-five for corporate works. Its critics named it, from the identity of its most conspicuous beneficiary, the "Mickey Mouse Protection Act," and challenged it as a functional perpetuity that could not serve the constitutional purpose of *promoting* progress; the Supreme Court, in *Eldred v. Ashcroft* in 2003, held that a limit repeatedly extended is still, in law, a limit. Each extension wore the real cause of protecting creators; the aggregate quietly starved the public domain the bargain existed to feed. The private half is perpetually fed; the public half is perpetually deferred; and no single step is a lie.

The newest channels — the network that carried knowledge to everyone, and the systems now built by learning from the accumulated record of human expression — stand at the same familiar hinge, and the paper will say only what its structure entitles it to say, which is not an accusation but a question. A channel is fed while it is open and harmless and useful; as it grows into a power, real causes gather at its gate — the prevention of genuine harm, the suppression of real falsehood, the protection of creators whose work is genuinely taken. These causes are not fabricated, and the people who press them are not, in the main, cynics; that is precisely the condition under which the mechanism operates best. The pattern does not tell us the causes are false. It tells us which question the causes are structured to make us skip. Not *is the cause real* — it usually is. But *who, when this cause is written into an instrument, gains the power to react — and who is left able only to see?* That is the question the history teaches, and it is the same question whether the channel is a printing press

in 1557 or a broadcast band in 1927 or the newest engine of knowledge in the present year; the costume changes and the motion does not.

VI

Reading the mechanism against the framework

This study contributes two named additions to the framework, both of them accounts of *durability* — of how a hierarchy that holds the three monopolies keeps holding them.

The first is the mechanism of *feed and starve through a legitimate cause*, and its importance is that it is the information monopoly's characteristic mode of self-defence, distinct from the modes available to the monopolies of violence and wealth. Force defends itself by force, and wealth by wealth, and both are visible and therefore contestable. The information monopoly cannot safely defend itself that way — a naked censorship, a printer on a scaffold, is exactly the brittle and expensive defence that rouses the opposition it fears. Its durable mode is the opposite: not to suppress the new channel but to *enclose* it through a cause the public already holds dear, championed by reformers who sincerely believe it, so that the defence of incumbency comes wrapped in the advancement of a public good and cannot be attacked without appearing to attack the good. The corpus should carry this as the information monopoly's signature: it renews itself not against its critics but *through* its reformers, converting every genuine grievance about a new channel — sedition, piracy, interference, harm — into the occasion for bringing that channel under the incumbent's control. It is the cheapest possible defence, because the incumbent does not even pay for it; the sincere champions of the real cause pay for it, in the currency of their conviction, and hand the incumbent the result.

The second and deeper contribution is the *asymmetry of reaction*, and it revises a hope the framework should be careful never to indulge — the

hope that clear sight is, by itself, a lever against power. It is not. The three monopolies confer two separable things: the motive to defend a position, which the disadvantaged share in inverse, and the means to react to a threat, which only the monopolist holds. To perceive an arrangement exactly, to expose it, to describe its mechanism in the plainest words — these are genuine and honourable powers, and over long time they can shift what a society will tolerate. But they are not the power to *act upon* the arrangement, which requires the levers the arrangement itself monopolises: the statute, the charter, the court, the purse, the channel. This is why a durable hierarchy can afford to be understood, can even sponsor its own analysis, and lose nothing by it: because understanding without the means to act is commentary, and commentary is structurally safe. The most durable order is not the one that blinds its subjects; it is the one secure enough to let them see, because it alone can react to what they do about the seeing — which, lacking the levers, is mostly to see further. And the sharpest form of the asymmetry, the one that seals it, is that the incumbent can capture the very channel of sight into the apparatus of reaction, turning each new means of understanding into a new means of being watched, so that the technology that promised to distribute the seam is folded into it instead.

The sober conclusion is the framework's usual one, and it is neither the cynic's despair nor the reformer's fantasy. It is not that copyright or licensing or credentials should be abolished; each answers a real need, the seam cannot be un-drawn, and a world with no protection for authors and no discipline for physicians and no order on the airwaves is not a freer world but a poorer and more dangerous one, in which the loudest and the best-capitalised simply capture the channel by other means. The recursion holds here as everywhere: there is no channel-before-the-seam to return to, only the question of how many hands the seam is spread across. So the discipline the mechanism demands is a discipline of the second question. When a protection is offered through a real cause — and it usually is a real cause — the trained response is not to deny the cause, which is both futile and wrong, but to ask what the cause is structured to make us skip: who

gains the power to react, and who is left able only to see; whether the instrument that redresses the real wrong also happens to vest the reactive power where it already sat; whether the channel is being spread or enclosed. The liberty on offer is never the abolition of the mechanism, which is impossible, but the *crowding* of the seam — the keeping of the channels plural and the reactive levers distributed, so that no single incumbent holds both the monopoly of information and the sole right to defend it behind the face of a public good. That is a smaller liberty than the abolitionist wants and a larger one than the cynic thinks available, and it is the only kind the mechanism actually leaves on the table.

Milton, who lost, was right; and the licensing outlived him; and both of those are the point. The seeing was true and the seeing was safe, and the distance between the truth of it and the safety of it is the exact measure of a durable hierarchy — which is not the one that keeps you from understanding it, but the one that can let you understand it completely and go on, because it kept for itself the one thing understanding is not: the power to act.

A note on sources. Public-domain primary material is quoted exactly; modern copyrighted scholarship is paraphrased and credited. The Stationers' Company Royal Charter of 1557 is quoted from the text and commentary in *Primary Sources on Copyright (1450–1900)* (eds. L. Bently and M. Kretschmer, copyrighthistory.org): the recital of purpose against "seditious and heretical books rhymes and treatises" published by "scandalous malicious schismatical and heretical persons," inducing "sedition and disobedience" and "heresies against the faith and sound catholic doctrine of Holy Mother Church." The Licensing of the Press Act 1662 is quoted from its long title as given in the *Statutes of the Realm* and on legislation.gov.uk (14 Cha. 2 c. 33): "An Act for preventing the frequent Abuses in printing seditious treasonable and unlicensed Bookes and Pamphlets and for regulating of Printing and Printing Presses." John Milton's *Areopagitica* (1644) is quoted exactly ("as good almost kill a man as kill a good book..."; "Truth is compared in scripture to a streaming fountain..."). The lapse of the Licensing Act in 1695, the Stationers' failed petitions for renewed censorship, and their pivot to the argument from authors' natural rights — advanced, as the

scholarship notes, in the knowledge that authors would in practice assign those rights to publishers — follow the copyright historians (Lyman Ray Patterson, *Copyright in Historical Perspective*, and "Copyright and 'The Exclusive Right' of Authors"; Ronan Deazley, *On the Origin of the Right to Copy*), paraphrased and credited. The Stationers' petition of 12 December 1709 ("divers Persons have of late invaded the Properties of others, by reprinting several Books... even to their utter Ruin, and the Discouragement of all Writers in any useful Part of Learning") and Daniel Defoe's *Review* of 1709 ("a Law... for the Encouragement of Learning, Arts, and Industry, by securing the Property of Books to the Authors or Editors of them") are quoted as reproduced in the copyright-history literature and the standard editions. The Statute of Anne 1710 is quoted from the text at the Avalon Project and *The Statutes Project* (8 Anne c. 19/21): the full title ("An Act for the Encouragement of Learning, by Vesting the Copies of Printed Books in the Authors or Purchasers of such Copies, during the Times therein mentioned") and the preamble ("Whereas printers, booksellers, and other persons have of late frequently taken the liberty of printing, reprinting, and publishing... to their very great detriment, and too often to the ruin of them and their families: for preventing therefore such practices for the future, and for the encouragement of learned men to compose and write useful books"), with the fourteen-year term (renewable once, and twenty-one years for works already in print). The execution of the printer John Twyn (1664) and the enforcement career of Sir Roger L'Estrange follow the standard press-history literature (F. S. Siebert, *Freedom of the Press in England 1476–1776*). The United States Constitution's Copyright Clause (Art. I, §8, cl. 8) is quoted exactly ("To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries"); the Copyright Term Extension Act of 1998, its popular name, its extension of the term to life-plus-seventy (ninety-five years for corporate works), and *Eldred v. Ashcroft* (2003) follow the public record. The pre-print interpretive monopoly, the credentialing of authorised knowers, and the licensing of radio (the finitude of the spectrum as the real cause underlying the broadcast-licensing regime) are given as illustrative recurrences and are characterised generally rather than through exact quotation; where a specific statutory phrase was not verified against its primary text it is not quoted. The characterisation of the present moment — the enclosure of digital and machine-learning channels — is offered structurally, as a question the pattern raises, and makes no allegation of bad faith against any particular person or institution. The framework, the three monopolies, the seam, and the terms *feed and starve* and *asymmetry of reaction* are thomas J. Bryan's. Nothing here is asserted as revealed; the synthesis is offered to be tested against the cases and revised by them.

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